

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff(s),	)	
	)	
vs.	)	Case No. 4:04CR531 JCH (DDN)
	)	
CARLOS WHITEHEAD,	)	
	)	
Defendant.	)	

**ORDER**

This matter is before the Court on Defendant's pre-trial Motion to Suppress Statements and Evidence, filed June 24, 2005. (Doc. No. 12). Pursuant to 28 U.S.C. § 636(b), this matter was referred to United States Magistrate Judge David D. Noce, who filed a Report and Recommendation on July 25, 2005. Defendant Whitehead submitted objections thereto on August 18, 2005.

The Magistrate Judge recommends that the Court deny Defendant's motion. For his Objections to the Report and Recommendation of United States Magistrate Judge, Defendant asserts that he was illegally detained and searched. (Doc. No. 46). After de novo review of this matter, this Court adopts the Magistrate Judge's recommendation.

Accordingly,

**IT IS HEREBY ORDERED** that the Report and Recommendation of the United States Magistrate Judge (Doc. No. 36) is **SUSTAINED, ADOPTED, AND INCORPORATED** herein.

**IT IS FURTHER ORDERED** that Defendant Carlos Whitehead's Motion to Suppress Statements and Evidence (Doc. No. 12) is **DENIED**.

Dated this 17th day of April, 2006.

/s/ Jean C. Hamilton  
UNITED STATES DISTRICT JUDGE